

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

GERALD THOMAS JOHNSON,	*	
Petitioner,	*	
v.	*	Criminal Case: JKB-16-363
		(Related Civil Action: JKB-25-2422)
UNITED STATES OF AMERICA,	*	
Respondent.	*	

ORDER

The above-captioned Motion to Vacate, Set Aside or Correct Sentence was received for filing from self-represented Petitioner Gerald Thomas Johnson on July 24, 2025. (ECF No. 1073.) The Government shall be required to file an Answer to the Motion to Vacate.

Also pending is Johnson's Motion to Appoint Counsel. (ECF No. 1074.) Under Rule 8(c) of the Federal Rules Governing § 2255 proceedings, "[i]f an evidentiary hearing is warranted, the judge must appoint an attorney to represent a moving party who qualifies to have counsel appointed under 18 U.S.C. §3006A." Having not yet determined if the instant case requires an evidentiary hearing, the Motion shall be denied without prejudice, subject to reconsideration at a later time.

Accordingly, it is ORDERED that:

1. Johnson's Motion to Appoint Counsel (ECF No. 1074) is DENIED without prejudice;
2. The United States Attorney SHALL RESPOND to the Motion to Vacate within 60 days of the date of this Order;
3. Johnson MAY FILE ANY REPLY to the Response on or before 28 days following the Government's Response;
4. The Response and any Reply SHALL BE DOCKETED electronically in the criminal case and, unless otherwise directed, nothing further should be filed in the civil case except the disposition;

5. Johnson SHALL NOTIFY the Court and the government of any change of address;
6. The Clerk SHALL PROVIDE a copy of this Order to Johnson and SHALL PROVIDE a copy of this Order and a copy of the Motion to Vacate to Assistant United States Attorney Peter Martinez, Office of the United States Attorney.

Dated this 4 day of Sept, 2025.

FOR THE COURT:

A handwritten signature in blue ink, reading "James K. Bedar", written over a horizontal line.

James K. Bedar
United States District Judge